

**In The Matter Of:**

*Estate of Marissa Rose Fishman v.  
Richard Longwell, et/al*

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*Vincent J. Rizzo  
January 30, 2006*

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*B&R Services for Professionals, Inc.  
235 S. 13th Street  
Philadelphia, PA 19107  
(215) 546-7400  
FAX (215) 985-0169*

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[1] exact date, but approximately August 15, 2002?

[2] A. I'd say roughly, within a week to a week and a

[3] half, because there had to be a lot of prep work

[4] done before I could get in there to do what I

[5] needed to do.

[6] Q. Did you sign any documents prior to beginning

[7] work?

[8] A. No.

[9] Q. Did you complete any scope of work documents

[10] or anything like that before beginning work?

[11] A. No. We never -- we never needed actually

[12] stuff. Whatever they needed I completed the job,

[13] thorough, okay. There was never issues as far as.

[14] Q. You typically wouldn't have any paperwork

[15] before you would do a job, if I'm understanding you

[16] correctly; you would do a job, and then, I assume,

[17] submit an invoice?

[18] A. That's correct.

[19] Q. To whom would you submit the invoices?

[20] A. Some would go to -- well they would go to Air

[21] Base Carpet.

[22] Q. Even for the work done at the Longwells

[23] Coachman Road address?

[24] A. Correct.

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[1] Q. You would submit invoices to Air Base, and, I

[2] assume, to Mr. Manger?

[3] A. Correct. Correct. Mr. Manger would usually

[4] get or occasionally would get the invoice and he

[5] would present it to where it needed to go to.

[6] Q. Would you typically deal with anyone other

[7] than Mr. Manger at Air Base relating to either the

[8] work that you were supposed to be doing or the

[9] follow-up on getting paid?

[10] A. As far as on the work, it would be Mr. Manger,

[11] and Mr. Manger would usually handle everything

[12] pretty much. Occasionally when Mr. Manger wasn't

[13] there, usually Arnold, I would go up and talk to

[14] Arnold.

[15] Q. Arnold Frye?

[16] A. Yes.

[17] Q. What is his job at Air Base?

[18] A. He's actually their controller from what I

[19] understand.

[20] Q. Before you started work on the patio job in

[21] August of 2002, did you have to go out to the

[22] residence to see it and to talk to somebody about

[23] what you were going to do?

[24] A. Absolutely.

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[1] Q. Yes?

[2] A. Yes.

[3] Q. When do you expect that you did that?

[4] A. Oh, gosh, I'd probably say a month, month and

[5] a half, prior, before August, before the work

[6] started.

[7] Q. Did you meet with someone at the Coachman Road

[8] address?

[9] A. It would be John Manger.

[10] Q. Was anyone with you?

[11] A. No. When I first met John, it was myself.

[12] Q. So it would have been yourself and John Manger

[13] at the Coachman Road address about a month or so

[14] before this accident?

[15] A. Correct.

[16] Q. And what did he tell you needed to be done?

[17] A. Well there was discussion that they was going

[18] to replace all the windows around the enclosed

[19] pool, and then with that they were going to

[20] probably -- before that the whole pool area was

[21] enclosed with glass.

[22] So they were eliminating some of the

[23] glass, coming up with a knee wall and setting glass

[24] on top of the knee wall, and then from there, that

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[1] was pretty much that phase of the job, of the pool

[2] area.

[3] Q. So prior to your beginning work, was the pool

[4] enclosed?

[5] A. Yes.

[6] Q. And can you just tell me -- I just don't

[7] understand what --

[8] A. Absolutely.

[9] Q. You were changing the enclosure from what to

[10] what?

[11] A. This pool -- this area of the pool was all

[12] surrounded by glass. The glass started getting

[13] bad, started leaking. So then what they wanted to

[14] do was to replace the glass but not have the glass

[15] go from the ground all the way up. They wanted to

[16] come up with a knee wall, I would say preferably

[17] about four foot high, and the glass unit would sit

[18] on top of the knee wall.

[19] Q. I see. What else besides modifying the

[20] enclosure on the pool were you expecting to be

[21] doing on that job in August of 2002?

[22] A. Well, actually, the first phase of that job

[23] was that, was the wall so they could get the glass

[24] people in and get that pool enclosed. After that